

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNITED STATES *ex rel.*
BONNIE ELSDON,**

***Qui tam* Plaintiff,**

v.

U.S. PHYSICAL THERAPY, INC., *et al.*

Defendants.

*
*
*
*
*
*
*
*

Civil Action No.: 4:18-cv-01766

**UNOPPOSED MOTION TO POSTPONE
AND RESCHEDULE STATUS CONFERENCE**

Defendants, U.S. Physical Therapy, Inc. and The Hale Hand Center, Limited Partnership, (collectively, Defendants), hereby respectfully move to postpone the status conference presently set for August 6, 2021, to be rescheduled for the week of August 16, 2021 or thereafter. In support of this Motion, which is unopposed by the Plaintiff/Relator, Defendants state as follows:

1. On July 15, 2021, Relator Bonnie Elsdon filed an Unopposed Motion to Set Status Conference, in which Relator requested that the Status Conference be held “the week of August 16, 2021, forward, or as the Court may otherwise direct.” (ECF No. 34 at 1). This Court subsequently set the status conference for August 6, 2021. (ECF No. 39).

2. Ty Kelly, who is lead counsel for the Defendants, will be in a *Daubert* hearing in the United States District Court for the District of Maryland in *United States v. Matthew Edward Blair*, No. 19-cr-00410, on August 6, 2021 and is, therefore, unable to appear in this matter on that date. Ms. Kelly thereafter has prepaid travel with family on the week of August 9 to 13, 2021, and, accordingly, will not be available until the week of August 16, 2021.

3. Defendants therefore respectfully request that the Status Conference currently scheduled for August 6, 2021 be postponed and rescheduled for a date on or after August 16, 2021. Defendants contacted John Thornton, counsel for the Relator, on Monday, July 26, 2021, who indicated that the Relator does not oppose this Request.

WHEREFORE, Defendants hereby move that the Status Conference scheduled for August 6, 2021 be postponed and rescheduled for a date on or after August 16, 2021.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN, CALDWELL &
BERKOWITZ, P.C.**

/s/ Ty Kelly

Ty Kelly (admitted *pro hac vice*)
Christopher C. Dahl (admitted *pro hac vice*)
100 Light Street
Baltimore, Maryland 20202
tykelly@bakerdonelson.com
cdahl@bakerdonelson.com
Telephone: (410) 862-1049

/s/ Michael E. Clark

Michael E. Clark
Fed. Id. No. 1785
Texas Bar No. 04293200
1301 McKinney St., Suite 3700
Houston, Texas 77010
mclark@bakerdonelson.com
Telephone: (713) 286-7169

ATTORNEY-IN-CHARGE FOR DEFENDANTS

CERTIFICATE OF SERVICE

On July 28, 2021, I electronically submitted the foregoing document, along with the accompanying Proposed Order, with the Clerk of Court for the United States District Court for the Southern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael E. Clark
MICHAEL E. CLARK